



**REPORT OF THE AUDITOR OF PUBLIC ACCOUNTS
AUDIT EXAMINATION OF THE
NELSON COUNTY CLERK**

Calendar Year 1998

**EDWARD B. HATCHETT, JR.
AUDITOR OF PUBLIC ACCOUNTS
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Edward B. Hatchett, Jr.
Auditor of Public Accounts

To the People of Kentucky
Honorable Paul E. Patton, Governor
John P. McCarty, Secretary
Finance and Administration Cabinet
Mike Haydon, Secretary, Revenue Cabinet
Honorable Dean Watts, County Judge/Executive
Honorable Phyllis Mattingly, Nelson County Clerk
Members of the Nelson County Fiscal Court

Independent Auditor's Report

We have audited the accompanying statement of receipts, disbursements, and excess fees of the County Clerk of Nelson County, Kentucky, for the year ended December 31, 1998. This financial statement is the responsibility of the County Clerk. Our responsibility is to express an opinion on this financial statement based on our audit.

We conducted our audit in accordance with generally accepted auditing standards, Government Auditing Standards issued by the Comptroller General of the United States, and the Audit Guide for County Fee Officials issued by the Auditor of Public Accounts, Commonwealth of Kentucky. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statement is free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statement. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

As described in Note 1, the County Clerk is required to prepare the financial statement on a prescribed basis of accounting that demonstrates compliance with the cash basis and laws of Kentucky, which is a comprehensive basis of accounting other than generally accepted accounting principles. This cash basis system does not require the maintenance of a general fixed asset group or general long-term debt group of accounts. Accordingly, the accompanying financial statement is not intended to present financial position and results of operations in conformity with generally accepted accounting principles.

In our opinion, the financial statement referred to above presents fairly, in all material respects, the receipts, disbursements, and excess fees of the County Clerk for the year ended December 31, 1998, in conformity with the basis of accounting described above.

- We would like to commend the Nelson County Clerk, Phyllis Mattingly, and bookkeeper, Cecilia Shircliff, for excellent accounting procedures and record keeping.

To the People of Kentucky
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In accordance with Government Auditing Standards, we have also issued a report dated September 28, 1999, on our consideration of the County Clerk's compliance with certain laws and regulations and internal control over financial reporting.

Respectfully submitted,

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Edward B. Hatchett, Jr.
Auditor of Public Accounts

Audit fieldwork completed -
September 28, 1999

NELSON COUNTY
 PHYLLIS MATTINGLY, COUNTY CLERK
STATEMENT OF RECEIPTS, DISBURSEMENTS, AND EXCESS FEES

Calendar Year 1998

Receipts

State Fees For Services \$ 13,061

Fiscal Court 30,282

Licenses and Taxes:

Motor Vehicle-

Licenses and Transfers \$ 857,383

Usage Tax 2,815,203

Tangible Personal Property Tax 1,960,437

Lien Fees 14,808

Licenses-

Marriage 7,399

Deed Transfer Tax 105,402

Delinquent Tax 150,890 5,911,522

Fees Collected for Services:

Recordings-

Deeds, Easements, and Contracts \$ 27,620

Real Estate Mortgages 69,803

Chattel Mortgages and Financing Statements 111,826

Powers of Attorney 2,318

All Other Recordings 45,664

Charges for Other Services-

Copywork 11,970

Candidate Filing Fees 2,450

Miscellaneous 2,353 274,004

Interest Earned 7,871

Gross Receipts \$ 6,236,740

Disbursements

Payments to State:

Motor Vehicle-

Licenses and Transfers \$ 671,372

Usage Tax 2,730,583

Tangible Personal Property Tax 748,206

Licenses-

Delinquent Tax 27,526

Legal Process Tax 39,404

NELSON COUNTY
 PHYLLIS MATTINGLY, COUNTY CLERK
 STATEMENT OF RECEIPTS, DISBURSEMENTS, AND EXCESS FEES
 Calendar Year 1998
 (Continued)

Disbursements (Continued)

Payments to Fiscal Court:

Tangible Personal Property Tax	\$ 231,286	
Delinquent Tax	23,862	
Deed Transfer Tax	<u>100,131</u>	\$ 355,279

Payments to Other Districts:

Tangible Personal Property Tax	\$ 902,527	
Delinquent Tax	<u>54,178</u>	956,705

Payments to Sheriff 6,476

Payments to County Attorney 28,265

Operating Disbursements and Capital Outlay:

Personnel Services-		
Deputies Salaries	\$ 207,683	
Employee Benefits-		
Employer's Share Social Security	19,277	
Employer's Paid Health Insurance	21,379	
Contracted Services-		
Printing and Binding	6,556	
Manpower Services	1,357	
Materials and Supplies		
Office Supplies	22,516	
Other Charges-		
Conventions and Travel	\$ 2,600	
Postage	5,266	
Preparing Tax Bills	4,339	
Maintenance Agreements	16,479	
Repairs	2,725	
Advertising	293	
Returned Checks	45	
Insurance	100	
Miscellaneous	527	
Capital Outlay-		
Office Equipment	<u>5,865</u>	<u>\$ 317,007</u>

Total Disbursements \$ 5,882,293

NELSON COUNTY

PHYLLIS MATTINGLY, COUNTY CLERK
STATEMENT OF RECEIPTS, DISBURSEMENTS, AND EXCESS FEES
Calendar Year 1998
(Continued)

Net Receipts	<u>\$ 354,447</u>
Less: Statutory Maximum	<u>48,726</u>
Excess Fees	\$ 305,721
Less: Expense Allowance	<u>3,600</u>
Excess Fees Due County for Calendar Year 1998	\$ 302,121
Payment to County Treasurer - January 19, 1999	<u>302,121</u>
Balance Due at Completion of Audit	<u><u>\$ 0</u></u>

The accompanying notes are an integral part of the financial statement.

NELSON COUNTY
NOTES TO FINANCIAL STATEMENT

December 31, 1998

Note 1. Summary of Significant Accounting Policies

A. Fund Accounting

A fee official uses a fund to report on the results of operations. A fund is a separate accounting entity with a self-balancing set of accounts. Fund accounting is designed to demonstrate legal compliance and to aid financial management by segregating transactions related to certain government functions or activities.

A fee official uses a fund for fees to account for activities for which the government desires periodic determination of the excess of receipts over disbursements to facilitate management control, accountability, and compliance with laws.

B. Basis of Accounting

The financial statement has been prepared on a cash basis of accounting pursuant to KRS 68.210 as recommended by the State Local Finance Officer. Revenues and related assets are generally recognized when received rather than when earned. Certain expenses are recognized when paid rather than when a liability is incurred, including capital asset purchases. Certain other expenses are recognized when a revenue and the related asset can be associated with a corresponding liability due another governmental entity.

The measurement focus of a fee official is upon excess fees. Remittance of excess fees is due to the County Treasurer in the subsequent year.

C. Cash and Investments

At the direction of the fiscal court, KRS 66.480 authorizes the County Clerk's office to invest in the following, including but not limited to, obligations of the United States and of its agencies and instrumentalities, obligations and contracts for future delivery or purchase of obligations backed by the full faith and credit of the United States, obligations of any corporation of the United States government, bonds or certificates of indebtedness of this state, and certificates of deposit issued by or other interest-bearing accounts of any bank or savings and loan institution which are insured by the Federal Deposit Insurance Corporation (FDIC) or which are collateralized, to the extent uninsured, by any obligation permitted by KRS 41.240(4).

Note 2. Employee Retirement System

The county officials and employees have elected to participate in the County Employees Retirement System (CERS), pursuant to KRS 78.530 administered by the Board of Trustees of the Kentucky Retirement Systems. This is a multiple-employer public retirement system that covers all eligible full-time employees. Benefit contributions and provisions are established by statute. Nonhazardous covered employees are required to contribute 5.0 percent of their salary to the plan. The county's contribution rate for nonhazardous employees was 8.65 percent.

NELSON COUNTY
NOTES TO FINANCIAL STATEMENT
December 31, 1998
(Continued)

Note 2. Employee Retirement System (Continued)

Benefits fully vest on reaching five years of service for nonhazardous employees. Aspects of benefits for nonhazardous employees include retirement after 27 years of service or age 65.

Historical trend information pertaining to CERS' progress in accumulating sufficient assets to pay benefits when due is present in the Kentucky Retirement Systems' annual financial report which is a matter of public record.

Note 3. Deposits

The County Clerk maintains deposits with depository institutions insured by the Federal Deposit Insurance Corporation (FDIC). According to law, the depository institution should pledge sufficient securities as collateral which, together with FDIC insurance, equals or exceeds the amount on deposit at all times. In order to be valid against the FDIC in the event of failure or insolvency of the depository institution, this pledge of securities should be evidenced by an agreement that is (a) in writing, (b) approved by the board of directors of the depository institution or its loan committee, which approval must be reflected in the minutes of the board or committee, and (c) an official record of the depository institution. This agreement, signed by both parties, must be sufficient to create an enforceable and perfected security interest in the collateral under Kentucky law. The County Clerk met the requirements stated above, and as of December 31, 1998 deposits were fully insured or collateralized at a 100% level with securities held by the county official's agent in the county official's name.

Note 4. Grant

The County Clerk received a local records microfilming grant from the Kentucky Department for Libraries and Archives in the amount of \$9,101. No funds were expended during calendar year 1998. The unexpended grant balance was \$9,101 as of December 31, 1998.

Note 4. Leases

The office of the County Clerk is committed to a lease agreement with Xerox Corporation for a copier. As of December 31, 1998, the agreement requires a monthly payment of \$98 for 18 months to be completed April 2000. The total balance of the agreement was \$1,764 as of December 31, 1998.

The office of the County Clerk is committed to a lease agreement with Xerox Corporation for a copier. As of December 31, 1998, the agreement requires a monthly payment of \$147 for 57 months to be completed October 2003. The total balance of the agreement was \$8,379 as of December 31, 1998.

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REPORT ON COMPLIANCE
AND ON INTERNAL CONTROL OVER FINANCIAL
REPORTING BASED ON AN AUDIT OF THE FINANCIAL STATEMENT
PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS



Edward B. Hatchett, Jr.
Auditor of Public Accounts

Honorable Dean Watts, County Judge/Executive
Honorable Phyllis Mattingly, Nelson County Clerk
Members of the Nelson County Fiscal Court

Report On Compliance And On Internal Control
Over Financial Reporting Based On An Audit Of The Financial
Statement Performed In Accordance With Government Auditing Standards

We have audited the Nelson County Clerk as of December 31, 1998, and have issued our report thereon dated September 28, 1999. We conducted our audit in accordance with generally accepted auditing standards and the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States.

Compliance

As part of obtaining reasonable assurance about whether the Nelson County Clerk's financial statement as of December 31, 1998, is free of material misstatement, we performed tests of its compliance with certain provisions of laws and regulations, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance that are required to be reported under Government Auditing Standards.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the Nelson County Clerk's internal control over financial reporting in order to determine our auditing procedures for the purpose of expressing our opinion on the financial statement and not to provide assurance on the internal control over financial reporting. Our consideration of the internal control over financial reporting would not necessarily disclose all matters in the internal control over financial reporting that might be material weaknesses. A material weakness is a condition in which the design or operation of one or more of the internal control components does not reduce to a relatively low level the risk that misstatements in amounts that would be material in relation to the financial statement being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions. We noted no matters involving the internal control over financial reporting and its operation that we consider to be material weaknesses.

Honorable Dean Watts, County Judge/Executive
Honorable Phyllis Mattingly, Nelson County Clerk
Members of the Nelson County Fiscal Court
Report On Compliance And On Internal Control
Over Financial Reporting Based On An Audit Of The Financial
Statement Performed In Accordance With Government Auditing Standards
(Continued)

This report is intended for the information of management. However, this report, upon release by the Auditor of Public Accounts, is a matter of public record and its distribution is not limited.

Respectfully submitted,

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Edward B. Hatchett, Jr.
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Audit fieldwork completed -
September 28, 1999

